

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF : Salgado et al.  
FOR : **METHOD AND APPARATUS  
FOR AUTOMATIC  
UPGRADE OF A  
PRODUCT'S PRINTER  
DRIVER**  
SERIAL NO. : 09/731,094  
FILED : 12/06/2000  
GROUP ART UNIT : 2622  
EXAMINER : Unknown  
LAST OFFICE ACTION : None Issued  
ATTORNEY DOCKET NO. : XER 2 0373

Cleveland, Ohio 44114-2518  
March 21, 2001

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Prior to substantive examination of the above-identified patent application, please amend the application as follows:

**IN THE CLAIMS:**

Please amend claims 7 and 8 as follows:

7. (Amended) A computer system that allows a first version of a printer driver stored on the computer system to be automatically updated, the computer system comprising:



8. (Amended) The computer system of claim 7 wherein the [software module] modules are program subroutines of the printer driver.

- (A) a contacting module configured to implement operations to contact a specified remote network location at which a second version of the printer driver is stored;
- (B) a determining module configured to implement operations to determine the version of the second version of the printer driver stored at the remote location;
- (C) a comparing module configured to implement operations to compare the first version of the printer driver stored on the computer system with the second version stored at the remote location;
- (D) a downloading and installing module configured to implement operations to download and install on the computer system the second version of the printer driver stored at the remote location if that version is a newer version than the first version currently stored on the computer system; and
- (E) an uninstalling module configured to implement operations to uninstall the first version of the printer driver stored on the computer system.

8. (Amended) The computer system of claim 7 wherein the modules are program subroutines of the printer driver.

Please add the following new claim:

11. (New) The computer system of claim 7 wherein the printer driver is configured to be used with a xerographic print system.

#### **REMARKS**

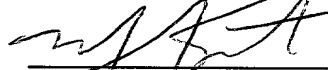
It is respectfully submitted that the above amendments place the subject application in better condition for examination.



3/21/01  
Date

Respectfully submitted,

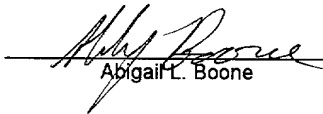
FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

  
Mark S. Svat  
Reg. No. 34,261  
1100 Superior Avenue  
Seventh Floor  
Cleveland, Ohio 44114-2518  
(216) 861-5582

**CERTIFICATE OF MAILING**

I hereby certify that this **AMENDMENT AND RESPONSE** in connection with U.S. Patent Application Serial No. **09/731,094** is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on 3-21-01.

by:

  
Abigail L. Boone

L:\JEW\DATA\XER\20373\amend1.doc

09/731,094